

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES A. DAVIS,

Plaintiff,

v.

BRIAN PILLAR,

Defendant.

ORDER

Case No. 14-cv-687-jdp

Plaintiff has submitted a letter requesting the clerk's office send a letter to the institution directing prison officials to pay copy costs and the remainder of the filing fee in this case from his release account in installments of \$10.00. Dkt. #8. Plaintiff's request will be denied.

On October 15, 2014, this court entered an order assessing plaintiff an initial partial payment of the filing fee for this case, which plaintiff has paid. The language of 28 U.S.C. § 1915(b)(1) requires prison officials to use a prisoner's release account to satisfy an initial partial payment if no other funds are available. *Carter v. Bennett*, 399 F. Supp. 2d 936, 936-37 (W.D. Wis. 2005). However, with the exception of such initial partial payments, this court does not have the authority to tell state officials whether, and to what extent, a prisoner should be able to withdraw money from a release account. Because plaintiff cannot use release account funds to pay his copy costs or the remaining balance of the \$350 filing fee, I will deny this motion.

ORDER

IT IS ORDERED that plaintiff James A. Davis's request for a letter directing prison officials to use his release account to pay copy costs and the remainder of the filing fee, dkt. #8, is DENIED.

Entered this 26th day of May, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge